

Serial No.: 09/704,888
Group Art Unit: 2133

AMENDMENTS TO CLAIMS

- Please cancel claims 3 and 15-35.
- Please amend pending claims 1, 4-6, 8, and 12 as indicated below. A complete listing of all claims and their status in the application are as follows:

1. (Currently amended) A method for determining the performance of a portion of ~~in~~ a network, the method comprising:
 - transmitting a signal from a ~~transmission point~~transmitter onto ~~the~~ a first portion of the network;
 - receiving the signal at a ~~destination~~receiver, wherein receiving the signal at the receiver includes receiving the signal with first errors caused in the first portion of the network;
 - returning the signal to the ~~transmission point~~transmitter, wherein returning the signal to the transmitter includes returning the signals with second errors caused in a second portion of the network;
 - correcting errors introduced into the signal ~~in transmission~~ from the destination receiver to the ~~transmission point~~transmitter at the transmitter, correcting the second errors to leave the first errors in the signal; and
 - determining the performance of the first portion of the network from the ~~transmission point~~transmitter to the destinationreceiver by comparing the signal with the first errors with the signal transmitted at the transmitter to determine the performance of the first portion of the network.
2. (Previously presented) The method of Claim 1 wherein transmitting the signal further comprises transmitting signal packets.
3. (Canceled)
4. (Currently amended) The method of Claim 3-1 wherein the correcting the second errors further comprises:
 - determining residual errors in portions of the signal received at the transmission point;
 - and
 - discarding the portions of the signal that contain residual errors.

Serial No.: 09/704,888
Group Art Unit: 2133

5. (Currently amended) The method of Claim ~~3-1~~ wherein comparing the signals tests for bit error rate, block error rate, or a combination thereof.

6. (Currently amended) ~~A method for determining the performance of a portion of a network, the~~ The method of Claim 1 further comprising:

~~transmitting a signal from a transmission point onto the portion of the network;~~

~~receiving the signal at a destination;~~

detecting block errors in the signal received at the destination receiver;

discarding portions of the signal received at the destination receiver that contain block errors;

returning the non-discarded signal portions to the ~~transmission point~~ transmitter;

determining the magnitude of the discarded portions of the signal from the returned, non-discarded portions;

using a block error rate test at the transmitter to determine the block error performance of the first portion of the network, ~~and~~

~~determining the performance of the portion of the network from the transmission point to the destination.~~

7. (Original) The method of Claim 1 wherein the network is a cable network.

8. (Currently amended) The method of Claim ~~4-7~~ wherein the first portion of the cable network is a local area cable loop.

9. (Original) The method of Claim 8 wherein the performance of an upstream channel of the local area cable loop is determined.

10. (Original) The method of Claim 9 wherein the transmitting step transmits the signal in the upstream channel.

11. (Original) The method of Claim 9 wherein the signal is returned in a forward channel of the local area cable loop.

12. (Currently amended) The method of Claim 7 wherein the destination receiver is a cable modem termination system.

13. (Original) The method of Claim 2 wherein the correcting step uses forward error correction techniques.

Claims 14 - 35. (Canceled)